

Correspondence

Item No. 2b

Newport Place Affordable Housing Amendment

PA20011-215

JULIE A. AULT

ATTORNEY AT LAW

SEVEN CORPORATE PLAZA  
NEWPORT BEACH, CA 92660  
TELEPHONE: (949) 719-7212  
FACSIMILE: (949) 719-7210

RECEIVED BY  
COMMUNITY

APR 18 2012

DEVELOPMENT  
CITY OF NEWPORT BEACH

April 18, 2012

Via Courier and Fed Ex

Ms. Kimberly Brandt  
Director of Community Development Department  
3300 Newport Blvd.  
P.O. Box 1768  
Newport Beach, California 92658-8915

RE: Proposed Residential Development at the Koll Center and Planning  
Commission Meeting Scheduled for April 19, 2012

Dear Ms. Brandt:

My client, OCRC Capital Corporation ("OCRC"), owns a building, located at 4910 Birch St. within the Koll Center office park. OCRC likewise owns easements for parking, access and property rights to enforce development standards under the recorded documents showing property ownership, recorded covenants, conditions and restrictions ("CC&Rs"). This correspondence shall serve as our opposition and objection to the Proposed Residential Development at the Koll Center which is scheduled to be voted on during the Planning Commissions, April 19, 2012, regular meeting.

We have been informed by other property owners within the office park, of the Koll Company's proposed residential development. We understand that the City has a duty to insure that it has properly noticed all of the relevant property owners regarding this proposal and that all of the property owners are in agreement or, at the very least, are included in the development at this office park. To date, we have not received notice from the City of Newport Beach (the "City") or the Koll Company regarding its proposal to integrate the existing master planned business park with a massive residential development.

In addition, as the City is well aware, there are deficiencies in Koll's application for a Planned Community Text Amendment and Environmental Impact Report, which documents have been provided to the City. Our opposition is also based on the fact that the Koll Company has failed to obtain the required consent from Koll Center property owners and has failed to make any attempt to comply, as required, with the CC&Rs. Finally, neither the Koll Company, nor the City has contemplated or evaluated the

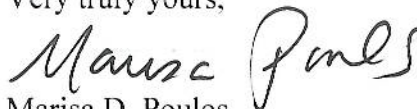
Ms. Kimberly Brandt  
Director, Community Development Department  
April 18, 2012  
Page - 2 -

---

negative impact, impairment of property values and the denial of my client's rights as a landowner in the city of Newport Beach.

Therefore, regardless of City Code requirements, and in an effort to protect our client's property rights, we request that Planned Community Amendment scheduled to be voted on during the April 19, 2012 Planning Commission Regular Meeting, be rejected until the issues surrounding Koll's application, the Environmental Impact Report and Koll's failure to properly notify and comply with the relevant CC&Rs are satisfactorily and properly resolved.

Very truly yours,

A handwritten signature in black ink, appearing to read "Marisa Poulos", written in a cursive style.

Marisa D. Poulos  
Associate Counsel

*Cc: Greg Merage  
John Condas  
Igor Olenicoff  
S. Jacoby*